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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-09-0736 CW
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING STATUS HEARING
v.)	
)	Hearing Date: September 16, 2009
DENISE MARIE ROHRBACH,)	Requested Date: October 21, 2009
)	
Defendant.)	
_____)	

The above-captioned matter is set on September 16, 2009 before this Court for a status hearing. The parties jointly request that this Court continue the matter to October 21, 2009 at 2:00 p.m. and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. §§ 3161(H)(7)(A) and (B)(iv), between the date of this stipulation and October 21, 2009.

Ms. Rohrbach made her initial appearance in this District on July 31, 2009. Because she has a matter pending in Contra Costa County, she is being held at a facility there. The defense has been reviewing discovery and performing investigation. In addition, the defense is investigating pending charges against the defendant in other jurisdictions in an effort to determine whether a universal disposition may be possible. The requested continuance will allow the defense to further its investigation of the underlying facts of the case and to obtain and review necessary records. The failure to grant such a continuance would unreasonably deny

1 counsel for the defendant the reasonable time necessary for effective preparation, taking into
2 account the exercise of due diligence.

3 The parties further stipulate and agree that the time from September 16, 2009 to October
4 21, 2009, should be excluded in accordance with the provisions of the Speedy Trial Act, 18
5 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel.

6
7 September 10, 2009

_____/s/
NED SMOCK
Assistant Federal Public Defender

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9
10 September 10, 2009

_____/s/
JAMES MANN
Assistant United States Attorney

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13
14 SIGNATURE ATTESTATION

15 I hereby attest that I have on file all holograph signatures for any signatures indicated by
16 a “conformed” signature (/S/) within this e-filed document.


ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds that the ends of justice served by the continuance requested herein outweigh the best interest of the public and the defendant in a speedy trial because the failure to grant the continuance would deny the counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court makes this finding because additional investigation and the collection and review of records are necessary to the defense preparation of the case.

Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of September 16, 2009 is continued to October 21, 2009 at 2:00 p.m. and that time be excluded from September 16, 2009 to October 21, 2009 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

September 14, 2009
Date


HON. CLAUDIA WILKEN
United States District Judge